
APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Appropriations: HB 499, SB 256.

Engrossed and Enrolled Bills: Correctly engrossed—HCR 40, HB 102, HB 332, HB 357, HB 378, HB 396.

House Administration: HSR 75.

Judiciary: HB 198.

State Affairs: HB 216.

SENT TO THE GOVERNOR

February 15, 1971

HCR 35

HCR 36

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 17, 1971

The House met at 10:00 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Carrillo	Foreman	Ingram
Adams	Cates	Gammage	Johnson
Agnich	Cavness	Garcia	Jones, D.
Allen, Joe	Christian	Golman	Jones, E.
Allen, John	Clayton	Grant	Jones, G.
Allred	Cobb	Hale	Jungmichel
Angly	Cole	Hanna, Joe	Kaster
Atwood	Craddick	Harding	Kilpatrick
Baker	Cruz	Harris	Kost
Bass, B.	Daniel	Hawkins	Kubiak
Bass, T.	Davis, D.	Hawn	Lee
Beckham	Davis, H.	Haynes	Lemmon
Blanton	Denton	Head	Lewis
Blythe	Doran	Heatly	Lombardino
Bowers	Doyle	Hendricks	Longoria
Boyle	Dramberger	Hilliard	McAlister
Braecklein	Earthman	Holmes, T.	McKissack
Burgess	Finck	Holmes, Z.	Mengden
Bynum	Finnell	Howard	Moncrief
Caldwell	Finney	Hubenak	Moore, A.
Calhoun	Floyd	Hull	Moore, G.

Moore, T.	Patterson	Shannon	Traeger
Moreno	Pickens	Sherman	Truan
Murray	Poff	Short	Tupper
Nabers	Presnal	Silber	Uher
Nelms	Price	Simmons	Vale
Neugent, D.	Reed	Slack	Von Dohlen
Newton	Rosson	Slider	Ward
Nichols	Salem	Solomon	Wayne
Niland	Salter	Spurlock	Wieting
Nugent, J.	Sanchez	Stewart	Williams
Ogg	Santiesteban	Stroud	Williamson
Parker, C.	Schulle	Swanson	Wolff
Parker, W.	Semos	Tarbox	Wyatt

Absent

Atwell	Hannah, John	Rodriguez	Smith
Graves	Orr		

Absent-Excused

Bigham	Clark	Farenthold	Lovell
Braun	Coats	Ligarde	Poerner

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important business:

Mr. Poerner on motion of Mr. Uher.

Mrs. Farenthold, temporarily for today, on motion of Mr. Harris.

Mr. Braun, temporarily for today, on motion of Mr. Harris.

Mr. Coats, temporarily for today, on motion of Mr. Boyle.

Mr. Clark on motion of Mr. Nelms.

Mr. Bigham, temporarily for today, on motion of Mr. Tupper.

Mr. Ligarde on motion of Mr. Santiesteban.

The following Member was granted leave of absence for today on account of illness:

Mr. Lovell on motion of Mr. Bill Bass.

MESSAGE FROM THE SENATE

Austin, Texas, February 17, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

SB 91, By Moore: Authorizing all State Agencies and Institutions to make advance payments to Federal and State Agencies for merchandise purchased from such agencies; and declaring an emergency.

SB 183, By Bates: Concerning highway safety and equipment to be operated thereon; and declaring an emergency.

SB 188, By Moore: Relating to the amount of money a convict is entitled to receive from the State of Texas at time of release or discharge; and declaring an emergency.

SB 341, By Schwartz: Validating elections and other proceedings relating to authorization, execution and delivery of water supply contracts; and declaring an emergency.

SJR 16, By Kennard, et al: Proposing an Amendment to the Texas Constitution providing that equality under the law shall not be denied or abridged because of sex, race, color, creed or national origin.

SCR 27, By Kennard and Creighton: In memory of Monroe Odom.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

MEMORIAL RESOLUTIONS ADOPTED

The following Memorial Resolutions were adopted unanimously by a rising vote:

HSR 119, by Moreno: In memory of Ruben Salazar.

HCR 43, by Tarbox and Slider: In memory of Mrs. Oscar J. Sexton.

Representative Hale entered the House and was announced present.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

HCR 45, by Burgess: Congratulating Dr. Blanche Phillips.

On motion of Mr. Burgess the names of all the Members of the House were added to HCR 45 as signers thereof.

HSR 118, by Lemmon: Welcoming the Cadette Scout Troop 888 from Houston.

SCR 25—ADOPTED

(Concerning official ceremonies opening the Apollo 11 exhibit)

The Speaker laid before the House the following resolution:

SCR 25

Whereas, The historic Apollo 11 command module will be welcomed to the State Capitol in ceremonies at 9:30 a.m. on March 5, 1971, with the Governor of Texas and other high State officials joining in this event; and

Whereas, The ceremonies open the public showing of the module known as "Columbia" together with its equipment and a sample of a lunar rock brought back from the July 1969 moon landing, such public showing to extend from March 5 through March 8 at the exhibit site near the south steps of the Capitol Building; and

Whereas, "Columbia" is the vehicle in which Neil A. Armstrong, Michael Collins and Edwin E. Aldrin, Jr., hurtled into lunar orbit and from which Astronauts Armstrong and Aldrin detached themselves in the lunar module "Eagle," to become the first men to set foot on the moon, and which Astronaut Collins kept in orbit awaiting their return and the ultimate descent of all three to splashdown in the Pacific Ocean; and

Whereas, These same heroic men came to Austin as honored guests in October 1970, when they were presented Medals of Valor, and by their graceful response and modest manner inspired a heartfelt desire among statehouse people to welcome these men and their families back whenever possible; now, therefore, be it

Resolved by the Senate of the 62nd Legislature, the House of Representatives concurring, That a cordial invitation be extended to Neil A. Armstrong, Michael Collins and Edwin E. Aldrin, Jr., to come to the Capitol with their families and participate in the official ceremonies opening the Apollo 11 exhibit at the south entrance to the Capitol Building at 9:30 a.m. on March 5.

The resolution was unanimously adopted.

HCR 42—ADOPTED

(Condemning North Vietnam and the Viet Cong)

Mr. Salem offered the following resolution:

HCR 42

Whereas, The State of Texas has a population in excess of 11 million, all of whom suffer anxiety and grief for the valiant men of the United States armed forces who have been imprisoned in North Vietnam and in the camps of the Viet Cong in South Vietnam; and

Whereas, The inhumanity of a nation which denies honorable prisoners

of war all contact with their families and withholds from them the rights of dignity and physical well-being decries understanding in this state founded on its own successful struggle for freedom from the kind of despotism that would strangle the South Vietnamese, this state which had its origin as a separate nation, the Republic of Texas, and which relinquished this status voluntarily in the knowledge that the United States of America guarantees that same liberty; and

Whereas, Despite the fact that North Vietnam is a member of the Geneva Convention, that country's pledge as signatory to the conference is apparently valueless judging from the many Americans missing in action who have never been listed on any of the rosters of prisoners being held, and both Viet Cong and Hanoi authorities remain adamant to all requests for knowledge of these men; and

Whereas, The Legislature of the State of Texas, now convened in its 62nd Regular Session, and deeply concerned about the treatment of this state's brave sons, as well as all their American brothers among the 1,600 men who are believed to be prisoners in Southeast Asia, convened on Friday, February 12, 1971, for the sole purpose of honoring the 120 wives and families of Texas Prisoners of war and initiating the formation of a task force headed by the state's top elected officials to work toward the release of our prisoners of war; and

Whereas, At this time the 62nd Legislature wishes to give forewarning to Hanoi and to the Viet Cong that the people of Texas are now in the process of all-out mobilization for the sole purpose of bringing about the release of our American prisoners of war in Southeast Asia; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Texas Legislature, speaking on behalf of the more than 11 million men, women, and children who proudly proclaim themselves Texans, hereby go on record in condemnation of North Vietnam and the Viet Cong for their inhuman and barbarous treatment of Americans imprisoned by them, and send this Resolution as the expression of the will of the Texas people calling for the immediate release of our brave fighting men who have dedicated their lives to the defense of liberty; and, be it further

Resolved, That official copies of this Resolution be prepared and sent to the President of North Vietnam and to the Viet Cong representatives at the Paris Peace Conference to express to the authorities responsible for the captivity of American prisoners of war the censure and condemnation of more than 11 million Texans who abhor a people characterized by their lack of civilized respect for mankind.

The resolution was read by Mr. Salem and was adopted.

CONGRATULATORY RESOLUTIONS ADOPTED

The following Congratulatory Resolutions were adopted unanimously:

SCR 26, Commending organizations responsible for Apollo 11 exhibit.

HSR 121, by Hull, Hilliard, Shannon, Finney, Lewis, Monerief, Sherman,

and Spurlock: Congratulating Coach Jim Pittman of Texas Christian University.

On motion of Mr. Hull the names of all the Members of the House were added to HSR 121 as signers thereof.

Representatives Atwell, Smith, and John Hannah entered the House and were announced present.

HSR 103—ADOPTED

(Honoring the Honorable Dick Cory)

Mr. Wyatt offered the following resolution:

HSR 103

Whereas, For the past 16 years, until the convening of the 62nd Legislature, the Texas House of Representatives has counted among its Members one of the outstanding Texas legislators of all time, the Honorable R. H. "Dick" Cory, who represented District 43, Victoria and Calhoun Counties; and

Whereas, This affable and personable man with the seemingly inexhaustible supply of energy has been the right hand of successive leaderships in the House during his entire tenure; he has the exceptional ability of being able to gain the respect and admiration of all of his colleagues, whether they carry the tag "liberal" or "conservative," because they have full confidence that his motives are directed entirely toward the good of the State of Texas; and

Whereas, In speaking of the great loss to state government resulting from the retirement of this distinguished gentleman from the Texas Legislature, Speaker Gus F. Mutscher said: "During my years in the Texas House of Representatives, I have known of no one who was more dedicated than Dick Cory. His knowledge of the job, his willingness to work, and his dedication to the best interests of the citizens of Texas were exemplary. There was no task, large or small, which he did not perform when called upon, and his mark will be left on the State of Texas"; and

Whereas, The list of important legislation which this eminent statesman has introduced in the Legislature reads like the entire docket of a major legislative committee, and many of the measures resulted in greater efficiency and integrity in state government: he was one of the three authors of the Lobbyist Control Bill, was author of a Law Enforcement Study Commission measure, author of the Little Hoover Commission Bill, coauthor of the teachers' pay raise bill of 1961 and coauthor of the Teachers Retirement Act of 1963 and the teacher pay raise bills of 1965 and 1967; and

Whereas, He was also the author of the Engineers Licensing Law of 1965, of congressional, senatorial and legislative redistricting bills, of a water pollution control measure, a bill providing for revision of the

state's community property law (1967), and a bill creating the Texas Veterinary Diagnostic Laboratory at Texas A&M University; and

Whereas, He also introduced and saw to final passage a measure creating a Commission on Constitutional Revision, of which he became a member and which he guided through many tedious hours of work and public hearings to a completed report that will be of inestimable value should the State of Texas decide that a new Constitution replacing the patchwork Constitution of 1876 is needed; and

Whereas, Commenting on Dick Cory's service, Lieutenant Governor Ben Barnes described him as "one of the most able and dedicated public servants that ever held an elected office. His unselfish service and outstanding leadership have been of immense personal help to me"; and

Whereas, His efforts on behalf of his constituents and the entire Gulf Coast area are equally notable, and his concern for members of his district and their wishes can best be described by a statement of a Victoria constituent: "Whenever three people got together (in the district), Dick Cory was always one of the three"; and

Whereas, Another case in point is the story of his ready availability to those in his district: he was invited to speak to a Home Demonstration Club on one occasion, and the time coincided with a torrential rainstorm; nevertheless Dick Cory arrived at the door with shoes and socks in hand after wading to the home where the meeting was scheduled. Only three of the twenty members were present, but Dick spoke just the same; and

Whereas, This adopted 52-year-old Texan is more seriously concerned about Texas wildlife than the most ardent native naturalist: he was author of the bill creating a refuge for roseate spoonbills in Refugio County and also authored measures setting up bird sanctuaries all along the Texas coast; he was leader in the successful fight to protect the breeding grounds of the magnificent whooping cranes at Aransas Wildlife Refuge; and

Whereas, This estimable citizen's sense of public obligation has not been confined to his membership in the Texas Legislature, despite his heavy duties of office in serving on major standing and interim committees of the House—the rules committee, state affairs committee, insurance committee, revenue and taxation committee, and the Texas Legislative Council. A graduate of the University of California at Berkeley with a Bachelor of Arts Degree, he also holds a LLD from the University of California School of Jurisprudence and has had further legal studies at The University of Texas School of Law. He served as Judge for the City of Victoria from 1948 to 1952, is active in the State Bar of Texas and the Victoria County Bar Association; he was a member of the Traffic Court Committee of the State Bar of Texas, proposing changes in the Traffic Code, and a member of the Family Law Section which proposed changes in the community property law, adoption and parental rights, and treatment of juvenile delinquents; and

Whereas, An active religious leader, he is a member of Our Lady of Victory Catholic Church and a member of Sierra Club; he is on the board of directors of the Salvation Army; and

Whereas, In 1950 he was named Outstanding Young Man of the Year by the Jaycees; he is a veteran of World War II and held the rank of

master sergeant; he is a member of the American Legion and has served that organization as chairman of the constitution and bylaws committee; a member of the executive board, Gulf Coast Council, Boy Scouts of America, he was awarded the Silver Beaver in 1968; and

Whereas, His interests as a sportsman have given him membership in the Mid-Coast Sportsman Association, the Sportsman Clubs of Texas, the Victoria Gun Club, the Isaac Walton League, the National Wilderness Society, the Audubon Society, the Sierra Club of California, the Outdoor Writers Association of America, and the National Parks Association; and

Whereas, The statement from his own Victoria Chamber of Commerce speaks for the entire Texas House of Representatives: "We express to Dick Cory our thanks and appreciation and our love for his many years of outstanding leadership and service to the people of this District. For you, Dick, we wish the best of everything"; now, therefore, be it

Resolved, That the House of Representatives of the 62nd Legislature hereby honor Representative R. H. "Dick" Cory, a man of great stature who has served the people of his district and the entire State of Texas for the past 16 years and whose decision to retire from legislative halls represents a great loss to the many friends and colleagues who have served with him and to the citizens of the entire State of Texas; and, be it further

Resolved, That this illustrious Texan, his lovely wife, Marie, and daughters, Mary Beth and Susan, be advised by this Resolution of the great esteem which all Members of the House of Representatives hold for their good friend, Dick Cory, and that Dick and his wonderful family will always be most welcome visitors to the Texas Capitol and the Chamber of the House of Representatives; and, be it further

Resolved, That official copies of this Resolution be prepared for former Representative R. H. "Dick" Cory and his family as mementos of his legislative service and the deep respect which his colleagues have for one of the most distinguished legislators of all times.

Signed: Wyatt, Speaker Mutscher, Jungmichel, Moncrief, C. Parker, Newton, Uher, Von Dohlen, Wieting, and Traeger.

The resolution was read and was unanimously adopted.

On motion of Mr. Von Dohlen and Mr. Lemmon the names of all the Members of the House were added to the resolution as signers thereof.

RELATIVE TO BILLS AND RESOLUTIONS ON FIRST READING

By unanimous consent the reading of bills and resolutions on first reading and referral to Committees was delayed until the business on the Calendar was considered.

Representative Biggam entered the House and was announced present.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

February 17, 1971

Message to the House from Governor Preston Smith:

In my address to the Joint Session last month, I stated that I would have further recommendations to make, including some on urban development.

A copy of my recommendations is attached, and a copy will be delivered to each Member today.

Thank you very much.

Signed: Preston Smith
Governor of Texas

A Special Message to the Members of the 62nd Legislature on Housing and Community Development.

Texas is blessed not only with vast natural assets, but also with man-made communities that took root across our land as earlier generations of Texans found opportunity for livelihood and personal fulfillment in this state. We have settled in diverse communities ranging from small towns geared to the rhythm of ranching and farming to large cosmopolitan cities that compete successfully in world trade and commerce.

During my first term of office, I have given continuous attention to the needs and opportunities for enhancement of Texas small and large urban places. I intend to do more in the future.

During the last two years, my office has given more thought to, and done more work on behalf of, the urban communities of Texas than any other previous administration. We are determined to make state government responsible to the needs of its communities and to the people who live in them. We are determined to start state government on a course that will result in Texas avoiding the decay of small towns while simultaneously great cities succumb to mass problems of traffic, pollution, poor housing, high crime rates, and central city decay.

We have no precedent to follow. No other state has found the solution. Our steps must be bold, they must be massive, and they must be carried in full cooperation with the local governmental officials who are the legitimate representatives of their communities.

I have listened to community representatives from all across the state. We have brought state government to them with our Texas Communities Tomorrow Program. This program, administered by the Division of State-Local Relations in my office, has resulted in participation by 3500 local representatives in 20 meetings across the state, along with representatives from various agencies of state government. We advised them of the help the state could give in solving local problems and listened to the people as they expressed their needs. Our Goals Program also went

to the people and we heard once again of the aspirations of Texas community leaders for excellence. Through the various agencies of state government and through my budget recommendations, I have tried to respond immediately to these needs and aspirations.

I have also set into motion activities designed to provide direction for a careful long-range approach toward determining the state's response to the needs of local communities:

. . . . I have charged my staff with the responsibility of working daily with local officials so that the Governor's Office is in continuous contact with community leaders and citizens;

. . . . I asked the Texas Research League to conduct a long-term, indepth study of state government's role in the field of housing; and

. . . . I created the Texas Urban Development Commission, appointed to it a distinguished group of Texas citizens to work under the leadership of Mayor Tom Vandergriff of Arlington, and charged the Commission with helping state government chart new directions for meeting its urban responsibilities.

Each of these efforts has resulted in reports to me, and to you in the Legislative Branch, as to possible courses of action for Texas in the years ahead. Out of this work I bring you, as I promised in my message on January 20th, the following recommendations for state action to assist in the areas of housing and community development. I ask that you give your utmost attention to them during the days and months ahead. Many of them need your immediate response in the form of legislative action.

AN URBAN ACTION POLICY FOR TEXAS STATE GOVERNMENT

Texas state government has over the years taken many actions to assist local communities and their citizens. The Executive Branch and the Legislature, however, have never together set forth a series of guiding policy directives to assist those who carry out the day-to-day responsibilities of state government. We have never given overall guidance to those who make the thousands of daily decisions that in sum are the total response of state government to its communities.

I am, today, proposing to you and asking that you pass by joint resolution, an official Urban Action Policy for Texas state government that will serve as guidance to all agencies and institutions of the state in carrying out their daily responsibilities.

This policy should give broad instruction to state agencies and institutions in regard to their decisions intended to combat existing and impending urban problems and effectively shape the future of Texas communities. It should deal with preserving environmental quality, improving individual opportunities, enhancing community development, and strengthening local government.

I commend this guiding policy proposal to you and ask for your early action on it.

CREATION OF A TEXAS DEPARTMENT OF COMMUNITY AFFAIRS

Texas must have a focal point for its work with community officials.

This administration has tried to provide this by establishing a Division of State-Local Relations in the Governor's Office. I am, today, recommending to you that this Division be elevated by statute to a Texas Department of Community Affairs. This step would allow the Legislature to set forth the duties and responsibilities for this function, as it does for all other major state agencies, to consider its budget as a separate item, and give the department new assignments from time to time.

It would allow the Governor's Office to concentrate on program development, policy planning, and resolution of pressing problems brought to it by local officials. It would also assure that the responsibility for continuing administration of state services such as local planning assistance, model cities aid, housing technical assistance, and economic opportunity programs is vested in one action-oriented state agency.

Creation of a Department of Community Affairs will permit the full development of programs that are so involved in providing direct services as to be inappropriately placed under the direction of the Governor's staff. Departmental status will give full visibility and opportunity for growth to our beginning state efforts to assist local communities.

I am recommending that the new department carry out the following specific functions:

1. maintain communications with local governments and serve as their advocate at the state and federal levels;
2. assist local governments with advisory and technical services;
3. provide financial aid to local governments and combinations of local governments for programs which are authorized such assistance;
4. act as an information center and referral agency for information on state and federal services and programs affecting local governments;
5. administer, conduct, or jointly sponsor educational and training programs for local government officials;
6. maintain suitable headquarters for the department and such other quarters as the director shall deem necessary to the proper functioning of the department;
7. conduct research on problems of general concern to local governments;
8. collect, publish, and disseminate information useful to local government including, but not limited to, data on local governmental finances and employment, housing, population characteristics, and land-use patterns;
9. encourage cooperative action by local governments where appropriate;
10. advise and inform the Governor and the Legislature concerning the affairs of local government and make recommendations for necessary action;

11. assist the Governor in the coordination of federal and state activities affecting local governments;
12. administer, as appropriate, state responsibilities for programs created under the Federal Economic Opportunity Act of 1964 and other federal acts creating economic opportunity programs;
13. perform any other duties concerning local government which may be assigned by the Legislature or the Governor.

CREATION OF A TEXAS ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Almost every action of state government affects local governments in some way. It is essential not only that we provide services to local governments as I have proposed to do by creation of a Department of Community Affairs, but that we also listen carefully to the advice of local officials as we plan and evaluate state actions. To accomplish this purpose of continuing involvement of local officials in state government, I am recommending to you the creation of a Texas Advisory Commission on Intergovernmental Relations. The commission would be advisory in nature, would consist of local officials, state officials, and Texas citizens who are responsible for the administration of federal programs operating in the state. It would provide no direct state services but would evaluate the efforts of state government to assist local governments and meet other obligations in our federal system of government. The commission would have a small professional staff and its range of functions would include:

1. evaluating on a continuous basis the interrelationships among Texas local, state, and federal government agencies and preparing studies and recommendations to improve these relationships;
2. evaluating proposed and existing federal programs and assessing their impact upon Texas;
3. evaluating the state's role in assisting its political subdivisions to carry out public responsibilities and make recommendations for improvement;
4. serving as a forum for the discussion and resolution of serious intergovernmental problems;
5. encouraging, and where appropriate, coordinating studies relating to intergovernmental relations conducted by universities, state, federal and local agencies, and other research-oriented organizations.

State government is, and will continue to be, the focal point for change in our federal system of government. It is incumbent upon us to work closely with our partners in the federal system to continually evaluate our response. This commission will provide a new way to do that on a permanent basis.

STRENGTHENING LOCAL GOVERNMENT

State government can render no greater service to its local governments than that of providing them with the basic legal authority to provide services, to raise revenues, and to meet the new challenges that

face them daily. Accordingly, I am recommending to you today a series of proposals that I believe will go far toward equipping local government to meet the challenges of the 1970's. I ask that you provide new legislative authority for local governments in the following areas:

1. Interlocal Contracting. It has long been recognized that local governments can improve their services and implement economies by contracting with one another for the provision of services. Small communities can contract with their larger neighbor to provide services that the smaller government could not provide, or two small governments can sometimes find the resources together to provide a service that neither alone could justify. Recognition of the possible financial savings and improvements in service has led to several state enabling acts in specific functional areas such as solid waste disposal and law enforcement, but no general grant of authority has ever been given to counties, cities, and other political subdivisions for a full-range of contracting agreements. I propose that such broad authority be given to local governments to improve their services and efficiency through an interlocal contracting act.

2. Development Standards in Unincorporated Areas. Some of our most serious urban problems occur outside of city limits where the state has given neither the city nor the county authority to set and enforce development standards. The Texas County Judges and Commissioners Association summed up the problem in a recent resolution when they said: "... part of this development in the rural areas is unregulated and uncontrolled resulting in serious problems involving proper sewage disposal, garbage collection, utilities, substandard housing, mobile housing facilities, poor streets and roads in subdivisions, small lots and parcels of land not suitable for residential purposes, lack of adequate drainage facilities and other problems incident to unplanned and haphazard use of real property."

In order to overcome this problem and to insure high standards of development in unincorporated areas, I am proposing that you enact permissive legislation giving cities the authority to extend their development standards into the fringe areas of growth just outside their corporate limits and legislation to give counties authority to set subdivision and building standards and enforce them. This would allow county governments to regulate subdivision development and construction standards in all other unincorporated areas, or in the urban fringe if requested to do so by a city.

In addition, I believe the state should have a procedure for state action to set and enforce standards for development when no local government has acted and the health and safety of its citizens is threatened by substandard conditions.

3. Improvements in Property Tax Administration. The property tax remains the prime source of revenue of Texas local governments, and will probably continue to be so in the near future. It is essential that it be equitable and well administered. In order to achieve these goals, I propose legislative steps be taken to:

—authorize balloting on a Constitutional Amendment that would allow county commissioners courts to appoint county tax equalization boards on an optional basis rather than always having to perform this exacting and time consuming task themselves;

—overcome extreme inequities in the application and collection of the personal property tax on motor vehicles by exempting motor vehicles from personal property taxation and substituting a specific ownership tax collected at the time license plates are issued. Proceeds from the tax would be returned to cities, counties, and school districts;

—assist local tax assessors in improving the administration of the property tax by requiring the sale price of property to be documented by purchase of documentary stamps and the placement of these stamps on deeds and other records of property transfer. This measure would replace the federal documentary stamp tax requirement that was repealed in 1968, thereby denying local tax assessors a useful tool for the establishment of property values.

4. Sewage Treatment Facility Financing. As I mentioned to you in my address on January 20, I am recommending a \$100 million state bond program to help local governments finance needed waste water treatment facilities.

5. Election Law Revisions. Democratic governments gather their strength from citizen participation in the electoral process. This is especially important at the local government level where the individual citizen has the opportunity to greatly influence the policies and actions of his government. In order to make citizen participation at all levels of government more convenient, easier to administer, and less susceptible to fraud, I am recommending the establishment of a continuing registration system with the following features:

—registration facilities available throughout the year, provided that the list of registered voters certified for participation in a particular electoral jurisdiction will be frozen 30 days prior to each election;

—reregistration required if a voter fails to vote during four consecutive years;

—required initial personal registration recording the voter's personal signature on the registration card and a voter identification card.

HOUSING

Studies show that many of Texas' largest cities are growing faster than their housing supply and that the greatest population gains are among low income groups least able to afford adequate housing.

A large percentage of the new homes being built are priced for those earning \$10,000 or more per year. The options for decent housing for low- and moderate-income families have become more restricted.

To provide more affordable new housing and to improve the existing housing, where possible, I am recommending to you a new, major emphasis in state government to assist the housing industry and to assure decent housing for all Texas citizens.

I ask that you provide legislative authority for the following:

—Creation of a State Housing Finance Corporation to be a public corporation that would provide technical assistance to nonprofit sponsors of

housing, provide "seed money" loans to nonprofit housing sponsors from the proceeds of revenue bonds of the corporation, and perform other duties designed to encourage the production of low and moderate income housing.

—Creation of a State Housing Redevelopment Corporation that could work jointly with major Texas cities to finance and build replacement housing for the thousands of Texans who now live in slum housing.

Both of the corporations I have mentioned should be public bodies and headed by the same board of directors.

—Adoption and enforcement of a state code for factory-built housing that would provide procedures whereby factory-built housing once approved as conforming with the state code could be placed anywhere in Texas. City codes would continue to govern all work performed at the housing site. This new code should be administered by the proposed Department of Community Affairs.

—Strengthening of the mobile home code adopted in 1969, by adding structural standards to it, by improving the inspection procedures, and by transferring administration of the code to the proposed Department of Community Affairs.

—Creation of a Performance Certification Board to assist in the implementation of the above mentioned new codes by establishing performance standards for products and systems to be approved by the state for use in factory-built housing and mobile homes.

—Authorization for universities of the state to assist the state and the home building industry through an Inter-University Testing and Evaluation Laboratory that would be administered by the Department of Community Affairs. The testing and evaluation would be conducted by qualified universities. Results of the testing and evaluation could be used with confidence by private enterprise and by local governments.

BALANCED URBAN GROWTH

The vast habitable expanses of Texas make it possible for us to avoid the concentrations of people in dense urban areas that make life for all unpleasant by creating massive traffic problems, high crime rates, overburdened school systems, and staggering pollution and waste disposal problems.

During the 1960's nine of Texas' twenty-five largest cities lost population, and hundreds of smaller communities experienced similar decreases. At the same time, growth rates of over 100 percent, in some instances, caused other Texas cities to have to struggle to provide even the basic public services necessary.

We can accomplish what is only a dying dream in many other parts of the country. We can take steps to assure that our great cities are not pulled down in a mire of problems created by great concentrations of people, while smaller towns and cities die on the vine for want of jobs, public facilities, and cultural opportunities.

I propose we begin today.

1. Planning. I am, today, asking my Division of Planning Coordination to join with local officials and with agencies of the state, such as the Texas Industrial Commission, to jointly develop regional and state urban growth plans that will serve as guides to public and private action to revitalize many of our smaller cities that are losing population and jobs. At the same time, the plans should provide for assistance to larger cities, assuring steps are taken to avoid the central city decay that is common to other parts of the nation and to slow the rush of people to the big cities with the attendant strain on public services and facilities.

2. Public Facility Location. As a part of this joint state-local planning effort, I am asking the major state agencies to review their policies for location of public facilities and other major public expenditures to determine if there are ways that careful changes in priorities can help alleviate the problems of both small and large cities. Public expenditures can vastly complicate our urban problems or they can help provide part of the solution.

3. Technical Assistance. I am also asking my Division of Planning Coordination to work with the Texas Industrial Commission and the proposed Department of Community Affairs to find ways to initiate a massive program of concentrated technical assistance to selected Texas cities where there is opportunity to stimulate new and sound economic development or act quickly to avoid problems that are characteristic of older central cities.

4. Financial Incentives. Finally, I ask you to enact legislation to permit the financial institutions of Texas to place up to one percent of their assets in a State Development Corporation as an investment without jeopardizing their loan limitations or other requirements placed on them. Funds so invested would be used to back job-creating industrial growth, consistent with high standard of urban development, where other private capital is not available for full financing.

OTHER SUGGESTIONS AND RECOMMENDATIONS

1. The area of Consumer Credit is obviously in danger of being completely preempted by the Federal Government. There were over 200 proposed Consumer Credit bills pending before the 91st United States Congress, when it expired. Congress has already enacted the Truth-in-Lending Act which renders much of our present Texas Consumer Credit Code unenforceable as a state law. Provision is made in the Federal Act whereby a state may be exempt from the act by the passage of adequate state legislation. All consumer legislation should remain within the jurisdiction of State Law. Consumer protection legislation should be considered and passed by this Legislature.

If you will help me in these steps I have outlined today, we can make Texas known as the foremost example of state government acting to meet urban problems on a scale equal to the task.

SB 256 ON SECOND READING (Mr. Heatly—House Sponsor)

The Speaker laid before the House on its second reading and passage to third reading,

SB 256, A bill to be entitled An Act providing for temporary suspension of allocations of certain funds out of the Omnibus Tax Clearance Fund; and declaring an emergency.

The bill was read second time.

Representatives Braun, Orr, Coats, Graves, and Sanchez entered the House and were announced present.

SB 256—(Consideration continued)

SB 256 was passed to third reading by the following vote:

Yeas—121

Adams	Finney	Lemmon	Schulle
Allen, John	Floyd	Lewis	Semos
Atwell	Foreman	Lombardino	Shannon
Atwood	Garcia	Longoria	Sherman
Baker	Golman	McAlister	Short
Bass, T.	Grant	McKissack	Silber
Beckham	Graves	Moncrief	Simmons
Blanton	Hale	Moore, A.	Slack
Boyle	Hanna, Joe	Moore, G.	Slider
Braecklein	Harding	Moreno	Smith
Braun	Harris	Murray	Solomon
Burgess	Hawkins	Nabers	Spurlock
Bynum	Hawn	Neugent, D.	Stewart
Calhoun	Haynes	Newton	Stroud
Carrillo	Heatly	Nichols	Swanson
Cates	Hendricks	Niland	Tarbox
Cavness	Hilliard	Nugent, J.	Traeger
Christian	Holmes, T.	Ogg	Truan
Clayton	Holmes, Z.	Orr	Tupper
Coats	Howard	Parker, C.	Uher
Cobb	Hubenak	Parker, W.	Vale
Cole	Hull	Pickens	Von Dohlen
Cruz	Ingram	Poff	Ward
Daniel	Johnson	Presnal	Wayne
Davis, D.	Jones, D.	Price	Wieting
Davis, H.	Jones, G.	Reed	Williams
Doran	Jungmichel	Rosson	Wolff
Doyle	Kaster	Salem	Wyatt
Dramberger	Kilpatrick	Salter	
Finck	Kost	Sanchez	
Finnell	Kubiak	Santiesteban	

Nays—22

Agnich	Blythe	Gammage	Moore, T.
Allen, Joe	Bowers	Hannah, John	Nelms
Allred	Caldwell	Head	Patterson
Angly	Craddick	Jones, E.	Williamson
Bass, B.	Denton	Lee	
Bigham	Earthman	Mengden	

Absent

Rodriguez

Absent-Excused

Clark	Ligarde	Lovell	Poerner
Farenthold			

Mr. Heatly moved to reconsider the vote by which SB 256 was passed to third reading and to table the motion to reconsider.

The motion to table prevailed.

Representative Rodriguez entered the House and was announced present.

MOTION TO PLACE
SB 256 ON THIRD READING

Mr. Heatly moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 256 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—108

Adams	Doyle	Jungmichel	Presnal
Allen, John	Dramberger	Kaster	Price
Atwell	Finnell	Kilpatrick	Reed
Baker	Finney	Kost	Rosson
Bass, T.	Foreman	Kubiak	Salem
Beckham	Garcia	Lemmon	Salter
Blanton	Golman	Lombardino	Sanchez
Boyle	Grant	Longoria	Santiesteban
Braecklein	Hale	McKissack	Semos
Burgess	Harding	Moncrief	Shannon
Bynum	Hawkins	Moore, A.	Sherman
Caldwell	Hawn	Moore, G.	Short
Calhoun	Haynes	Moreno	Silber
Carrillo	Heatly	Murray	Simmons
Cates	Hendricks	Nabers	Slack
Cavness	Hilliard	Neugent, D.	Slider
Clayton	Holmes, T.	Newton	Smith
Coats	Holmes, Z.	Niland	Solomon
Cobb	Howard	Ogg	Spurlock
Cole	Hubenak	Orr	Stewart
Cruz	Hull	Parker, C.	Stroud
Daniel	Ingram	Parker, W.	Swanson
Davis, D.	Johnson	Pickens	Tarbox
Davis, H.	Jones, D.	Poff	Traeger

Truan	Vale	Wayne	Williamson
Tupper	Von Dohlen	Wieting	Wolff
Uher	Ward	Williams	Wyatt

Nays—34

Agnich	Braun	Graves	Moore, T.
Allen, Joe	Christian	Hannah, John	Nelms
Allred	Craddick	Harris	Nichols
Angly	Denton	Head	Nugent, J.
Atwood	Doran	Jones, E.	Patterson
Bass, B.	Earthman	Lee	Rodriguez
Bigham	Finck	Lewis	Schulle
Blythe	Floyd	McAlister	
Bowers	Gammage	Mengden	

Absent

Hanna, Joe	Jones, G.
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Absent-Excused

Clark	Ligarde	Lovell	Poerner
Farenthold			

HB 37 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 37, Relating to holding of elections for the consolidation of cities.

The bill was read third time and was passed by the following vote:

Yeas—142

Adams	Caldwell	Finney	Howard
Agnich	Calhoun	Floyd	Hubenak
Allen, Joe	Carrillo	Foreman	Hull
Allen, John	Cates	Gammage	Ingram
Allred	Cavness	Garcia	Johnson
Angly	Christian	Golman	Jones, D.
Atwell	Clayton	Grant	Jones, E.
Atwood	Coats	Graves	Jones, G.
Baker	Cobb	Hale	Jungmichel
Bass, B.	Cole	Hannah, John	Kaster
Bass, T.	Craddick	Harding	Kilpatrick
Beckham	Cruz	Harris	Kost
Bigham	Daniel	Hawkins	Kubiak
Blanton	Davis, D.	Hawn	Lee
Blythe	Davis, H.	Haynes	Lemmon
Bowers	Denton	Head	Lewis
Boyle	Doran	Heatly	Lombardino
Braecklein	Dramberger	Hendricks	Longoria
Braun	Earthman	Hilliard	McAlister
Burgess	Finck	Holmes, T.	McKissack
Bynum	Finnell	Holmes, Z.	Mengden

Moncrief	Parker, C.	Semos	Traeger
Moore, A.	Parker, W.	Shannon	Truan
Moore, G.	Patterson	Sherman	Tupper
Moore, T.	Pickens	Short	Uher
Moreno	Poff	Silber	Vale
Murray	Presnal	Simmons	Von Dohlen
Nabers	Price	Slack	Ward
Nelms	Reed	Slider	Wayne
Neugent, D.	Rodriguez	Smith	Wieting
Newton	Rosson	Solomon	Williams
Nichols	Salem	Spurlock	Williamson
Niland	Salter	Stewart	Wolff
Nugent, J.	Sanchez	Stroud	Wyatt
Ogg	Santiesteban	Swanson	
Orr	Schulle	Tarbox	

Absent

Doyle Hanna, Joe

Absent-Excused

Clark	Ligarde	Lovell	Poerner
Farenthold			

Mr. Traeger moved to reconsider the vote by which HB 37 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 499 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 499, A bill to be entitled An Act appropriating funds to the Attorney General's Office, the Industrial Accident Board, and the Comptroller of Public Accounts; transferring out of current appropriations to the House of Representatives funds to finance the appropriations authorized in this Act; and declaring an emergency.

The bill was read second time.

Mr. Tom Bass moved to consider HB 499 Section by Section.

The motion prevailed without objection.

Representative Farenthold entered the House and was announced present.

HB 499—(Consideration continued)

The House proceeded to the consideration of Section 1 of HB 499.

There were no amendments offered to Section 1 and the House proceeded to the consideration of Section 2.

Mr. Doran offered the following amendment to Section 2 of HB 499:

Amend HB 499 by striking Section 2 and renumbering subsequent sections appropriately.

Mr. Shannon moved to table the above amendment.

A record vote was requested by Representatives Tom Bass, Reed and Moreno.

The motion to table the amendment by Mr. Doran prevailed by the following vote:

Yeas—114

Adams	Floyd	Longoria	Schulle
Allen, John	Foreman	McAlister	Semos
Angly	Golman	McKissack	Shannon
Atwell	Grant	Moncrief	Sherman
Baker	Graves	Moore, A.	Short
Beckham	Hale	Moore, G.	Silber
Bigham	Hannah, John	Moore, T.	Simmons
Blanton	Harding	Moreno	Slack
Boyle	Harris	Murray	Slider
Braecklein	Hawkins	Nabers	Smith
Braun	Hawn	Neugent, D.	Solomon
Burgess	Haynes	Newton	Spurlock
Bynum	Heatly	Nichols	Stewart
Carrillo	Hendricks	Niland	Swanson
Cates	Hilliard	Nugent, J.	Tarbox
Cavness	Holmes, T.	Ogg	Traeger
Clayton	Hubenak	Orr	Truan
Coats	Hull	Parker, C.	Tupper
Cobb	Ingram	Parker, W.	Vale
Cole	Johnson	Pickens	Von Dohlen
Cruz	Jones, D.	Poff	Ward
Daniel	Jones, G.	Presnal	Wayne
Davis, D.	Jungmichel	Price	Wieting
Davis, H.	Kaster	Rodriguez	Williams
Doyle	Kilpatrick	Rosson	Williamson
Dramberger	Kost	Salem	Wolff
Farenthold	Kubiak	Salter	Wyatt
Finck	Lewis	Sanchez	
Finnell	Lombardino	Santiesteban	

Nays—31

Agnich	Caldwell	Gammage	Lemmon
Allen, Joe	Calhoun	Garcia	Mengden
Allred	Christian	Hanna, Joe	Nelms
Atwood	Craddick	Head	Patterson
Bass, B.	Denton	Holmes, Z.	Reed
Bass, T.	Doran	Howard	Stroud
Blythe	Earthman	Jones, E.	Uher
Bowers	Finney	Lee	

Absent-Excused

Clark Ligarde Lovell Poerner

There were no further amendments offered to Section 2 and the House proceeded to consideration of Sections 3, 4, and 5.

There were no amendments offered to Sections 3, 4, and 5.

Sections 1, 2, 3, 4, and 5 to HB 499 were severally adopted.

HB 499 was passed to engrossment.

Mr. Shannon moved to reconsider the vote by which HB 499 was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO PLACE
HB 499 ON THIRD READING

Mr. Shannon moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 499 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—106

Adams	Dramberger	Lemmon	Sanchez
Allen, John	Finnell	Lewis	Santiesteban
Angly	Finney	Lombardino	Semos
Atwell	Foreman	Longoria	Shannon
Baker	Golman	McAlister	Sherman
Beckham	Grant	McKissack	Short
Bigham	Hale	Moncrief	Simmons
Blanton	Hanna, Joe	Moore, A.	Slack
Boyle	Harding	Moore, G.	Slider
Braecklein	Harris	Moore, T.	Solomon
Braun	Hawkins	Moreno	Spurlock
Burgess	Hawn	Murray	Stewart
Bynum	Haynes	Nabers	Swanson
Calhoun	Heatly	Neugent, D.	Tarbox
Carrillo	Hendricks	Newton	Traeger
Cates	Hilliard	Niland	Truan
Cavness	Holmes, T.	Ogg	Tupper
Clayton	Howard	Orr	Uher
Coats	Hubenak	Parker, C.	Von Dohlen
Cobb	Hull	Parker, W.	Ward
Cole	Ingram	Pickens	Wayne
Craddick	Johnson	Poff	Wieting
Cruz	Jones, D.	Presnal	Williams
Daniel	Jungmichel	Price	Williamson
Davis, D.	Kaster	Rosson	Wyatt
Davis, H.	Kost	Salem	
Doyle	Kubiak	Salter	

Nays—36

Agnich	Denton	Head	Patterson
Allred	Doran	Holmes, Z.	Reed
Atwood	Earthman	Jones, E.	Rodriguez
Bass, B.	Farenthold	Jones, G.	Schulle
Bass, T.	Finck	Lee	Silber
Blythe	Floyd	Mengden	Smith
Bowers	Gammage	Nelms	Stroud
Caldwell	Garcia	Nichols	Vale
Christian	Graves	Nugent, J.	Wolff

Absent

Allen, Joe	Hannah, John	Kilpatrick
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Absent-Excused

Clark	Ligarde	Lovell	Poerner
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RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled resolution:

SCR 24, Inviting His Excellency Preston Smith to address a Joint Session.

HB 15 ON SECOND READING

The Speaker laid before the House on its second reading and passage to engrossment,

HB 15, A bill to be entitled An Act making provision for cost of living increases in present and future firemen and policemen's pensions in certain cities; amending Chapter 105, Acts of the 47th Legislature, Regular Session, 1941, as amended, (Article 6243f, Vernon's Texas Civil Statutes), by adding a Section 26A; providing for severability; and declaring an emergency.

The bill was read second time.

Mr. Traeger offered the following committee amendment to HB 15:

Committee Amendment No. 1

Amend HB 15 by striking quoted Section 26A in Section 1 of the bill and substituting the following:

"Section 26A. (1) All pensions granted before February 1, 1971, in the Fund created hereunder, are hereby increased in the amount of ten per cent (10%) or to a minimum pension of One Hundred Fifty Dollars (\$150.00) per month, whichever is greater, beginning with the first whole calendar month after the effective date hereof, subject to the continuing right of the Board to change any percentage of disability, as provided by Section 15 of this Act and the One Hundred Fifty Dollars (\$150.00) monthly minimum shall not apply to those who have been decreased thereunder.

"(2) The Board shall annually, beginning in 1972, at or before its regular meeting in the month of April, review the Cost of Living indexes of the United States Bureau of Labor Statistics for the preceding calendar year. If such index should report an increase or decrease during such calendar year in the cost of living as much as three per cent (3%) as compared with the Cost of Living Index at the close of the year 1971 (which is hereby declared to be the base index) the Board shall enter its order increasing or decreasing all pension payments (present and prospective) by three per cent (3%), or more (depending on the amount of increase or decrease) but only by full percentage points closest to the exact amount of such increase or decrease. Such increase or decrease shall be effective as of the month of August next following such April board meeting and shall continue in effect for at least one full year thereafter, and until there has been an additional increase or decrease of at least three per cent (3%) compared to such base figure. Provided, however, that no pension shall ever be decreased below the amount at which it was originally granted, except pursuant to the provisions of Section 15 of this Act.

"(3) The cost of living index to be used for such purpose shall be the 'Consumer's Price Index for Moderate Income Families in Large Cities—All Items' or (in the event the name and/or nature thereof is changed) the nearest equivalent thereto published during each particular year by the Bureau of Labor Statistics of the United States Department of Labor."

The committee amendment was adopted without objection.

HB 15, as amended, was passed to engrossment.

HB 15 ON THIRD READING

Mr. Lombardino moved that the constitutional rule requiring bills to be read on three several days be suspended and that HB 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Adams	Bynum	Earthman	Hendricks
Agnich	Caldwell	Farenthold	Hilliard
Allen, Joe	Calhoun	Finck	Holmes, T.
Allen, John	Carrillo	Finnell	Holmes, Z.
Allred	Cates	Finney	Howard
Angly	Cavness	Foreman	Hubenak
Atwell	Christian	Gammage	Hull
Baker	Clayton	Garcia	Ingram
Bass, B.	Coats	Golman	Johnson
Bass, T.	Cobb	Grant	Jones, E.
Beckham	Cole	Hale	Jungmichel
Bigham	Craddick	Harding	Kaster
Blanton	Cruz	Harris	Kilpatrick
Blythe	Daniel	Hawkins	Kost
Boyle	Davis, D.	Hawn	Kubiak
Braecklein	Davis, H.	Haynes	Lemmon
Braun	Doyle	Head	Lombardino
Burgess	Dramberger	Heatly	Longoria

McAlister	Orr	Schulle	Swanson
McKissack	Parker, C.	Semos	Tarbox
Moncrief	Parker, W.	Shannon	Traeger
Moore, A.	Pickens	Sherman	Truan
Moore, G.	Poff	Short	Tupper
Moore, T.	Presnal	Silber	Uher
Moreno	Price	Simmons	Vale
Murray	Reed	Slack	Von Dohlen
Nabers	Rodriguez	Slider	Ward
Nelms	Rosson	Smith	Wieting
Neugent, D.	Salem	Solomon	Williams
Newton	Salter	Spurlock	Williamson
Niland	Sanchez	Stewart	Wolff
Ogg	Santiesteban	Stroud	Wyatt

Nays—12

Atwood	Doran	Jones, G.	Mengden
Bowers	Floyd	Lee	Nichols
Denton	Graves	Lewis	Nugent, J.

Absent

Hanna, Joe	Jones, D.	Patterson	Wayne
Hannah, John			

Absent-Excused

Clark	Ligarde	Lovell	Poerner
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The Speaker then laid HB 15 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—142

Adams	Bynum	Earthman	Hendricks
Agnich	Caldwell	Farenthold	Hilliard
Allen, Joe	Calhoun	Finck	Holmes, T.
Allen, John	Carrillo	Finnell	Holmes, Z.
Allred	Cates	Finney	Howard
Angly	Cavness	Floyd	Hubenak
Atwell	Christian	Foreman	Hull
Atwood	Clayton	Gammage	Ingram
Baker	Coats	Garcia	Johnson
Bass, B.	Cobb	Golman	Jones, D.
Bass, T.	Cole	Grant	Jones, E.
Beckham	Craddick	Graves	Jones, G.
Bigham	Cruz	Hale	Jungmichel
Blanton	Daniel	Harding	Kaster
Blythe	Davis, D.	Harris	Kilpatrick
Bowers	Davis, H.	Hawkins	Kost
Boyle	Denton	Hawn	Kubiak
Braecklein	Doran	Haynes	Lee
Braun	Doyle	Head	Lemmon
Burgess	Dramberger	Heatly	Lewis

Lombardino	Nugent, J.	Santiesteban	Tarbox
Longoria	Ogg	Schulle	Traeger
McAlister	Orr	Semos	Truan
McKissack	Parker, C.	Shannon	Tupper
Mengden	Parker, W.	Sherman	Uher
Moncrief	Patterson	Short	Vale
Moore, A.	Pickens	Silber	Von Dohlen
Moore, G.	Poff	Simmons	Ward
Moore, T.	Presnal	Slack	Wayne
Moreno	Price	Slider	Wieting
Murray	Reed	Smith	Williams
Nabers	Rodriguez	Solomon	Williamson
Nelms	Rosson	Spurlock	Wolff
Newton	Salem	Stewart	Wyatt
Nichols	Salter	Stroud	
Niland	Sanchez	Swanson	

Absent

Hanna, Joe	Hannah, John	Neugent, D.
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Absent-Excused

Clark	Ligarde	Lovell	Poerner
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Mr. Lombardino moved to reconsider the vote by which HB 15 was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILLS ON FIRST READING

The following Senate Bills were today laid before the House, read first time and referred to Committees, as follows:

SB 183 to the Committee on Motor Transportation.

SB 216 to the Committee on State Affairs.

HCR 41—REFERRED TO COMMITTEE

(Concerning Railpax System)

Mr. Ligarde offered the following resolution:

HCR 41

Whereas, A new basic system of nationwide railroad passenger service, Railpax, was designated on January 28, 1971, in accordance with Section 202 of the Rail Passenger Service Act of 1970 (PL 91-518); and

Whereas, Despite specific recommendations by the Railroad Commission of Texas, the Interstate Commerce Commission, the National Association of Railroad Passengers, the Brotherhood of Locomotive Engineers, federal and state governmental officials, local officials and Chambers of Commerce, and a broad range of individuals and organizations in both Texas and the Republic of Mexico that Railpax include a connection in Texas with

existing rail passenger service of the Republic of Mexico, the basic system announced by the Honorable John A. Volpe, Secretary of Transportation, did not include such a railroad passenger line; and

Whereas, Maintaining rail communications with Mexico and our other neighbors to the south is of vital importance to all citizens of Texas and of the nation; not only does Texas seek this vital means of communication but the National Chamber of Commerce of Monterrey on December 22, 1970 issued a statement asserting that "... this route would intensify in an outstanding way the friendship already in existence between our two countries ... It is also a relevant opportunity to foment our cultural and economic interchange. There presently exists a Mexico City-Monterrey-Nuevo Laredo route, which carries approximately 225 persons daily, but during the tourist season, this amount comes up to 400 passengers daily"; and

Whereas, A passenger rail connection will preserve our present fine international business relations with Mexico, will facilitate efficient handling of the many tons of mail routed each day between the Republic of Mexico and the United States, and will make more convenient a rapidly increasing volume of individual travel between the two nations; and

Whereas, Unless such a connection is established in the near future, it is probable that the opportunity may be lost should the railroads of Mexico logically proceed to abandon existing fine passenger service between Monterrey and Laredo, discouraged by the absence of corresponding connecting United States service; and

Whereas, An international rail passenger connection can be provided most conveniently and efficiently by utilizing the trackage now connecting Laredo with Dallas/Fort Worth via San Antonio, Austin, and Temple; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, the Senate concurring, That the Legislature of the State of Texas hereby request the National Railroad Passenger Corporation to expedite all prerequisite international arrangements and thereupon to promptly act and preserve an International Rail Link by adding to the initial basic Railpax System a short route connecting the end points of Laredo, Texas, and Dallas/Fort Worth, Texas; and, be it further

Resolved, That official copies of this Resolution be prepared and forwarded to Mr. David W. Kendall, Chairman, National Rail Passenger Corporation, Room 8060, 955 L'Enfant Plaza, Washington, D.C., 20024, and to Secretary John A. Volpe, U.S. Department of Transportation, 400 Seventh Street S.W., Washington, D.C., 20591, as an expression of the will of the 62nd Legislature of the State of Texas and all the concerned citizens and officials of this State; and, be it further

Resolved, That official copies of this Resolution also be forwarded to the Texas delegation in the Congress of the United States as their notification that the State of Texas has an urgent need for the Railpax line recommended by this Resolution.

Signed: Ligarde, Cavness, Vale, Johnson, G. Moore, H. Davis, Foreman, Schulle, Traeger, Coats, Bigham, Stroud, A. Moore, Agnich, and Golman.

The resolution was referred to the Committee on Common Carriers.

MASCOT RESOLUTION

The following Mascot Resolution was referred to the Committee on House Administration:

HSR 120, by Bynum: To name Dee Scott Davis and Shelly Dianne Davis Mascots of the House.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By Harris and D. Neugent:

HB 558, A bill to be entitled An Act validating elections and other proceedings relating to the authorization, execution, and delivery of water supply contracts pursuant to the provisions of Chapter 342, Acts of the 51st Legislature, 1949 (Article 1109e, Vernon's Texas Civil Statutes), under certain conditions; providing for the execution, delivery and validity of such contracts; limiting the application of the Act; and declaring an emergency.

Referred to Committee on Urban Affairs.

By Stroud:

HB 559, A bill to be entitled An Act revising, amplifying, and clarifying civil and criminal laws relating to general, special, and primary elections held by the state, by counties, cities, and other political subdivisions of the state, and by political parties; clarifying the eligibility requirements for public officers; broadening the eligibility and revising the procedures for absentee voting; revising the eligibility requirements and procedures for voting by new residents of the state and by former residents of the state in presidential elections; revising the form of the ballot to eliminate the ballot stub and adjusting voting procedures accordingly; regulating write-in candidacy and requiring the candidates to file a declaration of candidacy before the election; clarifying the order of party columns on the ballot; revising the provisions on the furnishing, procurement, and use of voting booths at polling places; revising the provisions on rendition of assistance to voters in preparing their ballots; revising the procedure for recording votes cast on voting machines; revising provisions relating to the form of the ballot for electronic voting systems; providing for emergency appointment of election judges; permitting young children to accompany parents into polling places and voting booths; revising provisions on the form of the primary ballot; permitting transmission of precinct convention records by certified mail; revising provisions on the application of a candidate for convention nomination; revising provisions on procedures for becoming an independent candidate; revising provisions on nominations by parties without state organization; amending the Texas Election Code as follows: amending Section 5, as amended (Article 1.05, Vernon's Texas Election Code); amending Section 37, as amended (Article 5.05), by amending Subdivisions 1, 2, 3a, 3b, and 4, Paragraphs (b) and (d) of Subdivision 6, and Subdivision 15, and by adding Subdivisions 2½

and 19 and Paragraph (d-1) of Subdivision 6; amending Sections 37a and 37b (Articles 5.05a and 5.05b), Subdivisions 2, 3, and 5 of Section 61 (Article 6.05), Sections 61b, 62, 66, 67, 68, and 69 (Articles 6.05b, 6.06, 7.01, 7.02, 7.03, and 7.04), Section 15 of Section 79 and Subsection (c), Section 18 of Section 79 (Article 7.14), Subdivisions 14 and 15, and Paragraph (a), Subdivision 17, Section 80 (Article 7.15), Sections 86, 95, 97, and 99 (Articles 8.04, 8.13, 8.15, and 8.17), Subsection (a), Section 187 (Article 13.09), Subsection (c), Section 212 (Article 13.34), and Sections 224a, 227, 229, and 231 (Articles 13.47a, 13.50, 13.52, and 13.54); adding division (3) to Subparagraph (d), Subdivision 11, Section 80 (Article 7.15), and Section 230a; and repealing Section 38 (Article 5.06), Subparagraphs (b)(4), (c)(4), and (c)(5), Subdivision 11, Section 80 (Article 7.15), and Subsection 6, Section 190a (Article 13.12a); amending Article 225, Penal Code of Texas, 1925, as amended; and declaring an emergency.

Referred to Committee on Elections.

By Truan:

HB 560, A bill to be entitled An Act repealing Chapter 686, Acts of the 61st Legislature, Regular Session, 1969 (Article 5238a, Vernon's Texas Civil Statutes), relating to a baggage lien for rent; and declaring an emergency.

Referred to Committee on Judiciary.

By Truan:

HB 561, A bill to be entitled An Act amending Article 7064a, Revised Civil Statutes, 1925, as reenacted and amended, redefining the term "insurance organization" for certain purposes; repealing certain laws and parts of laws; and declaring an emergency.

Referred to Committee on Insurance.

By Farenthold:

HB 562, A bill to be entitled An Act relating to the construction of certain nuclear plants within the boundaries of Texas; providing a penalty; and declaring an emergency.

Referred to Committee on State Affairs.

By Burgess:

HB 563, A bill to be entitled An Act relating to the disposition of funds collected by the Parks and Wildlife Department from fish farm licenses and fish farm vehicle licenses; amending Chapter 298, Acts of the 61st Legislature, Regular Session, 1969 (Article 978f-5b, Vernon's Texas Penal Code), by adding a Section 3a; and declaring an emergency.

Referred to Committee on Appropriations.

By Boyle:

HB 564, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, Constitu-

tion of Texas, known as Irving Flood Control District of Dallas County, Texas; declaring district a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the district; finding district is created for public use and benefit; prescribing the district's rights, powers, privileges, and functions, and related matters; conferring upon the district the right of eminent domain within Dallas County, Texas, and to situations where necessary to carry out the purposes for which the district was created; providing district, or an owner legally obligated to do so, shall bear expenses of relocating, raising, or rerouting any highway, railroads, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for no hearing for exclusions except on written request or the board of director's own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for governing body of district; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and related matters; providing for bonds, preliminary bonds, refunding bonds of the district, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing for the sale of bonds and the price of such bonds; providing that all bonds of district shall be eligible investments; providing for an election for maintenance tax; providing that district may enter into contracts with certain entities, and related matters; providing for depositories; providing for the establishment of district offices, and related matters; enacting certain provisions relating to the letting of contracts by district, and related matters; appointing City of Irving Tax Assessor-Collector as tax assessor-collector for district, setting forth his duties and related matters; providing that Article 970a, Vernon's Texas Civil Statutes, shall not apply to the creation of district; providing for addition of land to district and the assumption of bonded indebtedness by the added land and related matters; authorizing district to establish and maintain building setback lines along any waterway within district after notice and hearing, and related matters; providing for designation of flood hazard areas after public hearing; providing that the City of Irving may dissolve district in the manner provided and under the same terms and conditions as provided in Article 1182c-1, Vernon's Texas Civil Statutes; determining and finding the requirements of Article XVI, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the district shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

ADJOURNMENT

Mr. Slider moved that the House adjourn until 10:00 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 11:50 a.m., adjourned until 10:00 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills, as follows:

Conservation and Reclamation: HB 18, HB 343, HB 441.

Counties: SB 228.

Parks and Wildlife: HB 377, HB 381, HB 382.

School Districts: HB 229.

In Memory of the Honorable

Penrose B. Metcalfe

(Mr. Harding—House Sponsor)

The Speaker laid before the House the following resolution:

SCR 22

Whereas, The citizens of the State of Texas were deeply saddened by the loss of an eminent Texas legislator, former Senator Penrose B. Metcalfe, who died March 6, 1970, at the age of 76; and

Whereas, Senator Metcalfe was a man of unquestionably high principle and integrity, who gave unselfishly of his talents and abilities to promote the growth and development of the great State of Texas; and

Whereas, He was born November 24, 1893, on the XQZ Ranch operated by his father, graduated with honors from San Angelo schools and entered Texas A&M College in 1912. He graduated from there in 1916 with a Degree of Bachelor of Science in Agriculture, and subsequently served his country in World War I, being discharged from the service as a captain in the Air Corps; and

Whereas, He was extremely civic-minded and devoted to the progress of this State, serving from 1929-38 as a Member of the Texas House of Representatives; from 1939-46 as a Member of the Texas Senate; five years as a member of the Tom Green County School Board; two years as a member of the Upper Colorado River Authority; also being a member of the State Board of Education from 1950-67; serving as president of the Texas Sheep and Goat Raisers Association; six years as vice-president of the National Wool Growers Association and two years as president; and he served numerous times as a member of the Council of the Texas A&M Association of Former Students; in addition to which he was a member of the Tom Green County and State Bar Associations; and

Whereas, He generously gave of his time and efforts in contributing to the growth and progress of his community,

being a member of the First Presbyterian Church where he was a member of the choir and a soloist for that group; a member of the Masons and the Shrine; a member of the James J. Goodfellow, Jr., Post of the American Legion from the time of its organization; a life member of the Parent-Teacher Association in recognition of his service rendered to the schools of San Angelo; he became an honorary Lone Star Farmer, a designation of the Future Farmers of America, and was listed in Who's Who in America in 1964 in recognition of his outstanding contributions to society; and

Whereas, Senator Metcalfe is survived by a cousin, Mrs. Margie Ferry of San Angelo; and

Whereas, The Senate of the 62nd Legislature of the State of Texas wishes to pay tribute to the memory of this fine statesman who exemplified those qualities toward which all men should strive, and to extend its most sincere sympathy to the loved ones of Senator Metcalfe; now, therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, adopt this Resolution and that copies of this Resolution be sent to the family of Senator Metcalfe; and, be it further

Resolved, That a page in the Senate Journal be set aside in respect to the value of his life, which will be reflected always in the thoughts of others; and that when the Senate adjourns this day, it do so in memory of Senator Penrose B. Metcalfe, an outstanding Texan who spent a great part of his life in the service of his fellowman.

The resolution was unanimously adopted by a rising vote.